REMARKS

Claims 1-3, 5, 10, 14-18, 25-29, 32-37, 41-44, 46, and 48-56 are pending and have been rejected. Claims 1-3, 5, 10, 14-18, 25-29, 32-37, 41-44, 46, and 48-56 remain the case for consideration in light of the following remarks.

Claims 1-3, 5, 8-10, 15-18, 25, 26, 32, 33, 37, 41-43, 46, 48, 54 and 55 are rejected under Section 102(e) based on US 2001/0018041 as evidenced by article authored by Whiteside in the Manual of Molecular and Clinical Immunology, 7th edition. US 2001/0018041 discloses the treatment of B cell malignancies using anti-CD40L antibodies in combination with anti-CD20 antibodies and/or chemotherapeutics and radiotherapy. The present claims recite a method for treating a B-cell disorder in a horse, cattle, sheep, goat, llama, alpaca, pig, dog, or cat, consisting of administering a therapeutic composition consisting of at least one anti-CD20, anti-CD74 or anti-HLA-DR antibody component and, optionally, a cytotoxic drug, an immunosuppressive drug, or an immunomodulator, in a pharmaceutically acceptable carrier. The present claim, in consisting format, does not encompass treatment with anti-CD40L antibodies. Furthermore, treatment with anti-CD40L antibodies is a necessary feature of the treatment regimen disclosed in US 2001/0018041, and therefore a treatment regimen that does not include treatment with anti-CD40L is not disclosed by the cited document.

In the current Action, the examiner urges that the optional immunomodulator component encompasses a therapeutic antibody. An "immunodulator" is defined as "a drug such as interleukin-2 that alters, suppresses or strengthens the body's immune system."[1] The interpretation of "immunomodulator" to encompass a therapeutic antibody that is adopted by the examiner not only is inconsistent with the understanding of that term in the art, but also within the very teaching of the Whiteside article in the Manual that is cited by the examiner. The examiner cites page 1171, column 1 of Whiteside. The cited portion discloses "A broad array of biologic agents have become available for the treatment of inheritable or acquired immunodeficiency, autoimmune diseases, cancer, or persistent infections. Among them, immune system-based therapeutics utilizing **antibodies**, immune cells, ***or*** **immunomodulators** are now widely available." Thus, Whiteside has antibodies and immunomodulators in *separate categories*! In this regard, Whiteside's treatment of the term "immunomodulator" is consistent with the understanding and interpretation of this term by those of skill in the art. The interpretation by the examiner to include a therapeutic antibody within the scope of immunomodulator is contrary to the art-recognized scope of that term, and it certainly is not an interpretation that is supported by the Whiteside article as "evidence." Accordingly, reconsideration and withdrawal of the rejection is respectfully requested.

Claims 1-3, 5-10, 14-18, 25-29, 32-37, 41-44, 46, 48, 50 and 52-56 are rejected under Section 103(a) based on US 2001/0018041 as evidenced by article authored by Whiteside in the Manual of Molecular and

[1] Online Medical Dictionary.

Clinical Immunology, 7th edition and further in view of Brozek *et al.*, US 2002/0094542, Rybak *et al.* and Halliwell. US 2001/0018041 as evidenced by article authored by Whiteside are discussed above, and that discussion is incorporated by reference here. Brozek is cited only as teaching the use of anti-MHC class II antibodies have been used to treat autoimmune diseases, Rybak as teaching the use of chimeric antibodies linked to toxins to target tumor cells and Halliwell as teaching autoimmune diseases of domestic animals. None of these documents overcome the failure of US 2001/0018041 and Whiteside to teach the use of a therapeutic composition consisting of at least one anti-CD20, anti-CD74 or anti-HLA-DR antibody component and, optionally, a cytotoxic drug, an immunosuppressive drug, or an immunomodulator to treat a B cell disorder as presently claimed. Accordingly, reconsideration and withdrawal of the rejection is respectfully requested.

If there are any problems with this response, or if the examiner believes that a telephone interview would advance the prosecution of the present application, Applicant's attorney would appreciate a telephone call. In view of the foregoing, it is believed none of the references, taken singly or in combination, disclose the claimed invention. Accordingly, this application is believed to be in condition for allowance, the notice of which is respectfully requested.

Respectfully submitted,

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DATE

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